

FORM PTO-1449

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

Fluorescence Energy Transfer and Intramolecular Energy Transfer
in Particles Using Novel CompoundsATTY. DOCKET NO.
211/252SERIAL NO.
Not Yet AssignedAPPLICANT:
Buechler, Kenneth F., et al.FILING DATE:
March 23, 1995GROUP:
Not Yet Assigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	5	3	2	6	6	9	2	07/05/84	Brinkley, et al.	435	6	05/13/82
	AB	4	1	6	6	1	0	5	08/28/79	Hirschfield	424	8	12/20/74
	AC	4	1	9	9	5	5	8	04/22/80	Ullman et al	424	8	02/07/77
	AD	4	7	7	7	1	2	8	10/11/88	Uppa	435	5	05/27/86
	AE	5	1	5	4	8	8	7	10/13/92	Babb	422	56	05/28/91
	AF	5	1	5	7	4	1	2	10/20/92	Kleinschmidt et al	346	1.1	05/22/90
	AG	5	1	9	4	3	9	3	03/16/93	Hugl et al	436	525	11/08/90
	AH	5	1	2	3	7	3	1	08/23/92	Yoshinaga et al	356	73	05/13/91
	AI	5	1	1	6	9	8	9	05/26/92	Hale et al	546	265	05/30/89
	AJ	5	0	5	5	4	1	4	10/08/91	Babb et al	436	501	07/05/88
	AK	4	6	6	6	8	6	2	05/19/87	Chan	436	501	08/14/84
	AL	4	5	4	2	1	0	4	09/17/85	Stryer et al	436	536	04/06/83
	AM	3	9	9	6	3	4	5	12/07/76	Ullman et al	424	12	06/30/75
	AN	5	1	3	2	2	0	6	07/21/92	Dreyer	435	6	10/20/88

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
													YES	NO
	AD	0	0	7	6	6	9	5	13-04-83	EPA (Stryer et al.)	33	58		
	AP	0	0	7	5	9	8	2	08-04-83	EPA (Beroncelli et al.)	33	58		
	AQ	0	4	0	7	1	8	8	09-01-91	EPA (Bosley et al)	33	58		
	AR	9	3	2	3	4	9	2	11-25-83	WO/PCT 93/23492 (Brinkley)				
	AS	8	8	0	4	7	7	7	06-30-88	WO/PCT 88/04777 (Starkon)				
	AT	0	5	9	7	3	8	9	16-05-94	EPA (Tai et al.)				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	AU	Pekcan, O. et al, "Direct Energy Transfer Studies on Doped and Labelled Polymer Latex Particles" <u>Physical Review Letters</u> 81:641-644 (Aug. 1, 1988)
	AV	Stryer, Lubert, "Fluorescent Energy Transfer As A Spectroscopic Ruler" <u>Ann. Rev. Biochem.</u> 47:819-46 (1978)
	AW	Molecular Probes Ad entitled "Novel Fluorescent Latex Microspheres - Transfluospheres A Breakthrough in Latex Microsphere Technology (1994)"
	AX	Wheeler, B.L. et al., "A Silicon Phthalocyanine and a Silicon Naphthalocyanine: Synthesis, Electrochemistry, and Electrogenenerated Chemiluminescence," <u>J. Am. chem. Soc.</u> 106:7404-7410 (1984)

EXAMINER:

DATE CONSIDERED:

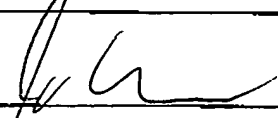
EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

FORM PTO-1449 LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. (234/116) 030691.0016.CON	SERIAL NO. 09/066,255
	APPLICANT: Buechler et al.	
	FILING DATE: April 24, 1998	GROUP: 1627

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
JE	AA	5,624,028	5/6/97	Tai et al.	435	6	11/3/93

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
JE	AB	Ben-Hur, E., <i>et al.</i> "Phthalocyanine-Induced Photohemolysis: Structure-Activity Relationship and The Effect of Fluoride," <u>Photochemistry and Photobiology</u> 58: No. 3, 351-355 (1993)
J	AC	Kudrevich, <i>et al.</i> "Syntheses of Monosulfonated Phthalocyanines, Benzonaphthoporphyrazines and Porphyrins via the Meerwein Reaction," <u>Journal of The Chemical Society: Perkin Transactions 1</u> 2767-2774 (1994)
J	AD	Margaron, P. <i>et al.</i> "Photodynamic Properties of Naphthosulfobenzoporphyrazine Derivatives," <u>Journal of Photochemistry and Photobiology</u> 14:187-199 (1992)
J	AE	Margaron, P. <i>et al.</i> "Chromatographic Analysis of Asymmetric Sulphophthalocyanines Using a Diode-array Detector," <u>Journal of Chromatography</u> 634: 57-64 (1993)

EXAMINER: 	DATE CONSIDERED: 3/14/06
EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant	

Notice of References CitedApplication No.
09/066,255

Applicant(s)

Buechler et alExaminer
Maurie E. Garcia, Ph. D.Group Art Unit
1627

Page 1 of 1

U.S. PATENT DOCUMENTS

	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS
A	5,135,717	8/1992	Renzone et al	422	61
B	4,803,170	2/1989	Stanton et al	436	518
C	4,434,236	2/1984	Freitag	436	512
D					
E					
F					
G					
H					
I					
J					
K					
L					
M					

FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS

	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

LIST OF PATENTS AND OTHER INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

11111 U.S. PTO



11/10/96

APPLICANT:
Kenneth F. Buechler et al.FILING DATE:
March 22, 1996

GROUP:

U.S. PATENT DOCUMENTS

SUBMITTANT DOCUMENTS													
EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
AA	5	3	2	0	6	9	2	05/07/94	Brintley et al.	435	6	05/13/92	
AB	4	1	6	6	1	0	5	08/28/79	Hirschfield	424	8	12/20/74	
AC	4	1	9	9	5	5	9	04/22/80	Ullman et al.	424	8	02/07/77	
AD	4	7	7	7	1	2	8	10/11/88	Uppa	435	5	05/27/86	
AE	5	1	3	4	8	8	7	10/13/92	Babb	422	56	05/28/91	
AF	5	1	3	7	4	1	2	10/20/92	Kleinschmidt et al.	446	1.1	05/22/90	
AG	5	1	9	4	3	9	3	03/16/93	Hugh et al.	436	525	11/08/90	
AH	5	1	2	3	7	3	1	06/23/92	Yoshinaga et al.	456	73	05/13/91	
AI	5	1	1	6	9	8	9	05/26/92	Hale et al.	546	265	05/30/89	
AJ	5	0	5	5	4	1	4	10/08/91	Babb et al.	436	501	07/05/88	
AK	4	6	6	6	8	6	2	05/19/88	Chen	436	501	08/14/84	
AL	4	5	4	2	1	0	4	09/17/85	Stryer et al.	436	536	04/06/83	
AM	3	9	9	6	3	4	5	12/07/76	Ullman et al.	424	12	06/30/75	
AN	5	1	3	2	2	0	6	07/21/92	Dwyer	435	6	10/20/88	
AO	5	0	8	9	3	9	1	02/18/92	Buechler et al.	435	7.1		
AP	4	1	9	9	3	6	3	04/22/80	Chen	430	512		
AQ	4	4	7	6	2	2	9	10/09/84	Fino et al.	436	509		
AR	4	3	6	8	2	5	8	01/11/83	Fujiwhara et al.	430	493		
AS	5	2	4	8	7	8	2	09/28/93	Haughland et al.	548	110		
AT	5	2	7	4	1	1	3	12/28/93	Kang et al.	548	405		
AU	5	1	8	7	2	8	8	02/16/93	Kang et al.	548	110		
AV	4	5	1	0	2	5	1	04/09/85	Kirkemo et al.	429	403		
AW	4	3	2	6	0	0	8	04/20/82	Rembaum	428	403		
AX	4	6	0	9	6	8	9	09/02/86	Schwartz et al.	523	202		
AY	4	4	2	0	5	6	8	12/13/83	Wang et al.	436	536		

FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS														
EXAMINER INITIAL	DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
	1	2	3	4	5	6	7	8					YES	NO
AZ	0	7	6	6	9	5		13.04.83	EPO	33	58			
BA	0	7	5	9	8	2		06.04.83	EPO	33	58			
BB	0	4	0	7	1	8	8	09.01.91	EPO	33	58			
BC	9	3	2	3	4	9	2	25.11.93	WO/PCT					

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Information Disclosure Statement - Section 9 PTO-1449

Page

LIST OF PATENTS AND OTHER PUBLICATIONS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

1.1.1.1 (Use several sheets if necessary)



11/18/96

APPLICANT:

Kenneth F. Buechler et al.

FILING DATE:

March 22, 1996

GROUP:

BD		8	8	0	4	7	7	30.06.88	WO/PCT (Stanton et al)				
BE	0	2	8	5	9	6	5	12.10.88	EPO (Albert et al)				
BF	9	5	0	8	7	7	2	30.03.95	WO/PCT (Buechler et al)				
BG	9	1	1	8	0	0	7	28.11.91	WO/PCT (Dandliker et al)				
BH	9	3	1	9	3	6	6	30.09.93	WO/PCT (Devlin et al)				
BI	0	5	9	7	3	8	9	18.05.94	EPO (Tai et al)				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

BJ	Cerfontain and Kort, "Electrophilic Aromatic Sulfonation with Acidic Sulfonating Reagent," <u>Int. J. Sulfur Chem.</u> C6:123-136 (1971)
BK	Cerfontain and Kort, <u>Mechanistic Aspects in Aromatic Sulfonation and Desulfonation</u> , Interscience, New York, pp. 2-5, 68-79 and 121-126 (1968)
BL	Cook et al., "Octa-alkoxy Phthalocyanine and Naphthalocyanine Derivatives: Dyes with Q-Band Absorption in the Far Red or Near Infrared," <u>J. Chem. Soc. Perkin Trans. I</u> pp. 2453-2458 (1988)
BM	Eldred and Young, "Dichlorofumaric Acid," <u>J. Am. Chem. Soc.</u> 75:4338-4339 (1953)
BN	Förster, "Zwischenmolekulare Energiewanderung und Fluoreszenz," <u>Ann. Physik.</u> 2:55-75 (1948)
BO	Gilbert, <u>Sulfonation and Related Reactions</u> , Interscience, New York, pp. 102-103, 306-307 and 339-383 (1965)
BP	Gregoriadis (editor), <u>Liposome Technology</u> , Volume III, CRC Press Inc., pg. 19 (1984)
BQ	Haughland et al., "Dependence of the Kinetics of Singlet-Singlet Energy Transfer on Spectral Overlap," <u>Proc. Natl. Acad. Sci. USA</u> 63:23-30 (1969)
BR	Haughland, "Potential Sensitive Probes," <u>Handbook of Fluorescent Probes and Research Chemicals</u> , 5th edition, Molecular Probes, Inc., pp. 156-158 (1992-1994)
BS	Hemmila, <u>Applications of fluorescence in immunoassays</u> , John Wiley & Sons, Inc., pp. 131-135 (1991)
BT	Ikeda et al., "Synthesis of Non-Symmetrically Benzo-Substituted Phthalocyanines and Their Electronic Spectra," <u>Chemistry Letters</u> pp. 763-766 (1992)
BU	Kirby and Gregoriadis, "Ch. 2 - A Simple Procedure For Preparing Liposomes Capable of High Encapsulation Efficiency Under Mild Conditions," <u>Liposome Technology</u> , Volume I, Gregoriadis editor, CRC Press Inc., pp. 20-26 (1984)
BV	Kobayashi et al., "Synthesis, Spectroscopy, Electrochemistry and Spectroelectrochemistry of a Zinc Phthalocyanine with D _{2h} Symmetry," <u>Chemistry Letters</u> pp. 2031-2034 (1992)
BW	Kobayashi et al., "Benzene or Naphthalene Ring-fused Mono-Substituted Type Tetraazaoctaphenylporphyrin Zinc Complexes," <u>Chemistry Letters</u> pp. 1567-1570 (1992)
BX	Kobayashi et al., "New Route to Unsymmetrical Phthalocyanine Analogues by the Use of Structurally Distorted Subphthalocyanines," <u>J. Am. Chem. Soc.</u> 112:9640-9641 (1990)
BY	Kobayashi et al., "Phthalocyanines of a Novel Structure: Dinaphthotetraazaporphyrins with D _{2h} Symmetry," <u>Inorg. Chem.</u> 33:1735-1740 (1994)
BZ	Konami et al., "Electronic spectra of benzo-substituted phthalocyanines," <u>Molecular Physics</u> 80:153-160 (1992)

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Information Disclosure Statement - Section 9 PTO-1449

Page 2 of 2

MAR. 15. 2006 3:09PM

FOLEY 8587926773 OTHER ITEMS FOR APPLICANT'S
INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

NO. 4514

P. 11/0,397

APPLICANT:

Kenneth F. Buechler et al.

FILING DATE:
March 22, 1996

GROUP:

JE	CA	Mayhew et al., "Ch. 2 - Preparation of Liposomes Entrapping Cancer Chemtherapeutic Agents for Expermiental In Vivo and In Vitro Studies," <u>Liposome Technology</u> , Volume II, Gregoriadis editor, CRC Press Inc., pp. 19-31 (1984)
JE	CB	McHugh and Gouterman, "Porphyrins XXIV. Energy, Oscillator Strength, and Zeeman Splitting Calculations (SCMO-CI) for Phthalocyanine, Prophyryns, and Related Ring Systems," <u>Theoret. Chim. Acta</u> (Berlin) 24:346-370 (1972)
JE	CC	Mikhailenko et al., "Pthalocyanines and Related Compounds," <u>J. Org. Chem.</u> (USSR (English Translation) 8:341-343 (1972)
DUP	CD	Molecular Probes Ad entitled "Novel Fluorescent Latex Microspheres - Transfluospheres a Breakthrough in Latex Microsphere Technology" (1994)
JE	CE	Pariser et al., "A Semi-Empirical Theory of the Electronic Spectra and Electronic Structure of Complex Unsaturated Molecules. II," <u>J. Chem. Phys.</u> 21:767-776 (1953)
DUP	CF	Pekcan et al., "Energy Transfer Studies on Doped and Labeled Polymer Latex Particles," <u>Physical Review Letters</u> 61:641-644 (1988)
JE	CG	Pople, "Electron Interaction in Unsaturated Hydrocarbons," <u>Trans. Faraday Soc.</u> 49:1375-1385 (1953)
DUP	CH	Stryer, "Fluorescence Energy Transfer as a Spectroscopic Ruler," <u>Annual Review of Biochemistry</u> 47:819-846 (1978)
JE	CI	Van Arman et al., "General Fluorescence Assay for Enzyme-Catalyzed Polyanion Hydrolysis Based on Template-Directed Excimer Formation. Application to Heparin and Polyglutamate," <u>J. Am. Chem. Soc.</u> 112:5376-5377 (1990)
DUP	CJ	Wheeler et al., "A Silicon Phthalocyanine and Silicon Naphthalocyanine: Synthesis, Electrochemistry and Electrogenerated Chemiluminescence," <u>J. Am. Chem. Soc.</u> 106:7404-7410 (1984)

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Information Disclosure Statement - Section 9 PTO-1449

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FOLEY & LARDNER LLP

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Total of Pages 12 (including this page)

TO:	PHONE #:	FAX #:
United States Patent and Trademark Office Commissioner for Patents Examiner: Jon Epperson Art Unit: 1639	571-272-0808	571-273-0808

From : Barry S. Wilson

Email Address : bwilson@foley.com

Sender's Direct
Dial : 858.847.6722

Date : March 15, 2006

Client/Matter No : 071949-2404

User ID No : 3067

MESSAGE:

Re: United States Patent Application No.: 09/776,599

Our Reference: 071949-2404

Following are:

- 1) Copy of Information Disclosure Statement filed on December 8, 2003 (11 pages).

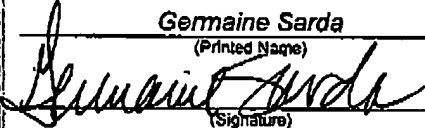
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Atty. Dkt. No. 071949-2404

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth F. Buechler, et al.
Title: HYBRID PHTHALOCYANINE
DERIVATIVES AND THEIR
USES
Appl. No.: 09/776,599
Filing Date: 02/01/2001
Examiner: Jon D. Epperson
Art Unit: 1639

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on the date below. <u>Germaine Sarda</u> (Printed Name)  (Signature) <u>December 2, 2003</u> (Date of Deposit)

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicant submits herewith a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial Nos. 08/274,534, filed July 12, 1994; 08/409,298, filed 03/23/1995; 08/620,597, filed March 22, 1996 and 09/066,255, filed April 24, 1998. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to

Atty. Dkt. No. 071949-2404

antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits after the filing of a request for continued examination under §1.114.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Atty. Dkt. No. 071949-2404

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date December 2, 2003By Barry S. Wilson

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Customer Number: 30542

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Facsimile: (858) 792-6773

Barry S. Wilson
Attorney for Applicant
Registration No. 39,431